

1 CLARK THIEL (Nevada Bar No. 10778)  
2 MICHAEL S. MCNAMARA (*Pro Hac Vice*)  
3 BRANDON C. CLARK (*Pro Hac Vice*)  
**PILLSBURY WINTHROP SHAW**  
**PITTMAN LLP**  
4 Four Embarcadero Center, 22nd Floor  
5 San Francisco, CA 94111-5998  
Telephone: 415.983.1000  
Facsimile: 415.983.1200  
E-mail: [clark.thiel@pillsburylaw.com](mailto:clark.thiel@pillsburylaw.com)  
[michael.mcnamara@pillsburylaw.com](mailto:michael.mcnamara@pillsburylaw.com)  
[brandon.clark@pillsburylaw.com](mailto:brandon.clark@pillsburylaw.com)

7 SHEMILLY BRISCOE  
8 Nevada Bar No. 9985  
**BRISCOE LAW GROUP**  
9 1060 Wigwam Parkway  
Henderson, Nevada 89074  
10 Telephone: 702.754.5600  
E-mail: [shemilly@briscoelawgroup.com](mailto:shemilly@briscoelawgroup.com)

11 JOSE M. PIENKNAGURA (*Pro Hac Vice*)  
**HUNT CONSTRUCTION GROUP, INC.**  
7720 N. 16<sup>th</sup> Street, Ste 100  
13 Phoenix, AZ 85020  
Telephone: 480.368.4700  
14 E-mail: [jose.pienknagura@aecom.com](mailto:jose.pienknagura@aecom.com)

15 *Counsel for Hunt/PENTA and Insurance  
Partners, Inc.*

16  
17 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

18 HUNT/PENTA, a Joint-Venture of HUNT  
19 CONSTRUCTION GROUP, INC., and PENTA  
BUILDING GROUP, LLC,

20 Plaintiffs,

21 v.

22 AON RISK SERVICES SOUTH, INC., and  
23 Does 1-50, inclusive,

24 Defendants.

25 **AND RELATED MATTERS.**

26 SCOTT R. COOK (Nevada Bar No. 5265)  
WILLIAM P. VOLK (Nevada Bar No. 6157)  
E. DANIEL KIDD (Nevada Bar No. 10106)  
**KOLESAR & LEATHAM**  
400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145  
Telephone: 702.362.7800  
Facsimile: 702.362.9472  
E-Mail: [scook@klnevada.com](mailto:scook@klnevada.com)  
[wvolk@klnevada.com](mailto:wvolk@klnevada.com)  
[dkidd@klnevada.com](mailto:dkidd@klnevada.com)

27 JENA L. LEVIN (*Pro Hac Vice*)  
PATRICK J. MCMAHON (*Pro Hac Vice*)  
**FOLEY & LARDNER LLP**  
321 North Clark Street, Suite 2800  
Chicago, Illinois 60654  
Telephone: 312.832.4500  
Facsimile: 312.832.4700  
E-Mail: [jlevin@foley.com](mailto:jlevin@foley.com)  
[pmcmahon@foley.com](mailto:pmcmahon@foley.com)

28 *Counsel for Aon Risk Services South, Inc.*

Case No.: 2-16-cv-01563-JAD-NJK

Removed Case No.: A-16-736809-C

**STIPULATION AND ORDER EXTEND  
DISCOVERY DEADLINES  
(Second Request)**

27 IT IS HEREBY STIPULATED AND AGREED between the parties that some of the  
28

1 discovery dates be continued by adding approximately 30 days to the discovery schedule. The  
2 stipulation would change the close of discovery from August 28, 2017 to September 27, 2017.  
3 The primary purpose of this extension is to allow an additional 30 days to conduct additional  
4 depositions and review recently produced voluminous records.

5 **I. Legal Authority**

6 After the court has set a scheduling order, it may be changed upon a showing of good  
7 cause. LR 26-4. Good cause is shown for the discovery extension based upon the Parties'  
8 discovery progress, including extensive efforts at setting a workable deposition schedule in  
9 different states. *Id.*; *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.3d 604, 608-09 (9th  
10 Cir. 1992). The good cause inquiry focuses primarily on the movant's diligence. *See Coleman v.*  
11 *Quaker Oats Co.*, 232 F.3d 1271, 1294-95 (9th Cir. 2000). Good cause to extend a discovery  
12 deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the  
13 extension." *Johnson*, 975 F.2d at 609. The Court has broad discretion in supervising the pretrial  
14 phase of litigation. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).

15 **II. Proposed Schedule**

Activity	Prior Date	Proposed Date
Discovery Cutoff	August 28, 2017	September 27, 2017
Dispositive Motions	September 27, 2017	September 27, 2017
Joint Pre-Trial Order	October 27, 2017	October 27, 2017

21 The Parties entered into this Stipulation in an effort to complete discovery. Good cause is  
22 shown for the discovery extension based upon the Parties' discovery progress, including  
23 extensive efforts at setting a workable deposition schedule in different states to accommodate  
24 many conflicting calendars that must be reconciled to get additional deposition testimony. To the  
25 extent that this request is untimely, excusable neglect is shown by the Parties' diligence in  
26 resolving their discovery issues and disagreements without contested motion practice. No  
27 prejudice is done to any party because the Parties agree to this discovery extension. The parties  
28

are not delaying the conclusion of this matter by the way of trial or otherwise; rather, the Parties are trying to garner all the necessary information and evidence needed to litigate this matter. No trial date has yet been ordered.

Dated: August 23, 2017.

Respectfully submitted,

**BRISCOE LAW GROUP  
PILLSBURY WINTHROP SHAW  
PITTMAN LLP  
HUNT CONSTRUCTION, INC.**

**KOLESAR & LEATHAM  
FOLEY & LARDNER LLP**

/s/ Shemilly A. Briscoe  
Shemilly Briscoe (Nevada Bar No. 9985)  
Clark Thiel (Nevada Bar No. 10778)  
Michael S. McNamara (*Pro Hac Vice*)  
Brandon C. Clark (*Pro Hac Vice*)  
Jose Pienknagura (*Pro Hac Vice*)

---

*s/ Jena L. Levin*  
Scott R. Cook (Nevada Bar No. 5265)  
William P. Volk (Nevada Bar No. 6157)  
E. Daniel Kidd (Nevada Bar No. 10106)  
Jena L. Levin (*Pro Hac Vice*)  
Patrick J. McMahon (*Pro Hac Vice*)

*Counsel for Hunt/PENTA and Insurance  
Partners, Inc.*

*Counsel for Aon Risk Services South, Inc.*

15 DENIED as moot.

16 IT IS SO ORDERED.

17 || Dated: August 24, 2017



---

NANCY J. KOPPE